

Indiana Legislature.

SESSION 1949-50.
SENATE.

TUESDAY, JANUARY 3.

The Senate met.
Mr. Hollaway presented a petition praying that Dublin might be made a point in the Terre Haute and Richmond railroad; laid on the table without reading.

Reports from Standing Committees.
By Mr. Carver, that it is inexpedient to legislate on the subject of increasing the pay of the prosecuting attorney of Delaware county; report concurred in.

By Mr. Carver, that it is inexpedient to legislate on the subject of changing the law relative to electing an assessor in Jennings county; report concurred in.

By Mr. Walpole, a bill to amend the charter of the Lafayette plank road company; read a second time, rules suspended, and the bill read a third time and passed.

By Mr. Porter, a bill to incorporate the Presbyterian female college in Washington county; read a second time, rules suspended, and the bill read a third time and passed.

Messrs. Garvin, Hardin, Porter, Hubbard, Berry and Miller, from standing committees, reported bills on their second reading, which were recommitted or ordered to a third reading.

By Mr. Berry, a bill to incorporate the Brookville railroad company; read a second time, rules suspended, and the bill read a third time and passed.

By Mr. Reed of C., the vote laying the bill to authorize the Agent of State to lease one acre of land to the Indiana Asbury University for the use of a medical college on the table, was reconsidered, and the bill was read a second time.

Reports from Select Committees.
By Mr. Condit, a bill to authorize the trustees of the Mooreville school society to convey real estate; read a second time, rules suspended, and the bill read a third time and passed.

By Mr. Reid of U., that it is inexpedient to report a bill at this time, relative to the capture of fugitive slaves; report concurred in.

By Mr. Berry, a bill for the relief of James Bivshaw, of Franklin county; read a second time, rules suspended, and the bill read a third time and passed.

Bills Introduced.
By Mr. Kinnard, a bill to incorporate the Pittsburgh library institute; read three times and passed.

By Mr. James, a bill for the relief of Samuel Scott, Sr., of Posey county; read three times and passed.

By Mr. Dole, a bill to regulate the relationship of damages on the Wabash and Erie canal; read three times and passed.

By Mr. Cassatt, a bill for the relief of Hugh M. Stevenson, of Adams county; read three times and passed.

By Mr. Wilson, of Wabash county, a bill twice and referred to the committee on Claims.

By Mr. Walpole, a joint resolution on the subject of a mail route from the State of Indiana to New Orleans; read three times and passed.

By Mr. Houghton, a bill to amend the law relative to the time of the sitting of the courts in the judicial circuit; read twice and referred to a select committee.

By Mr. Berry, a bill to amend article 5, chapter 48, of the Revised Statutes of 1843; read twice and referred to the committee on Education.

By Mr. Graham, a bill to incorporate the Cannelton Savings Institute; read twice and referred to the committee on Corporations.

By Mr. Miller, a bill to amend the common school law; read twice and referred to the committee on Education.

By Mr. Randall, a bill to incorporate the Hebrew benevolent society of Port Wayne; read three times and passed.

By Mr. Hendricks, a bill to incorporate the mechanics' and firemen's insurance company; read twice and referred to the committee on Corporations.

By Mr. Dawson, a bill to amend a law to compel taxpayers in Noble county, to pay a road tax equal to that paid by actual settlers; read three times and passed.

By Mr. Hendricks, a bill to incorporate the Clinton and Madison water works; read twice and referred to the committee on Corporations.

By Mr. Miller, a bill in relation to certain school lands therein named; read twice and referred to the committee on the Judiciary.

On motion, the Senate adjourned.

HOUSE OF REPRESENTATIVES.
The House met.

Mr. Garver, on leave, introduced a bill to fix the time of holding the several circuit courts in the judicial circuit; read a first time, rules suspended, and the bill read a second and third times and passed.

Bills on Their Third Reading.
A bill to amend the common school law; not passed.

A bill to amend the law relative to the deposition of practicing physicians in certain cases; passed.

A bill to amend the school law so far as it relates to a fractional township in Jefferson county; passed.

A bill for the relief of Fayette P. Morgan and Benjamin Feller, of the county of Clark; passed.

A bill for the relief of Nancy C. Burrows, of Jefferson county; passed.

A bill for the relief of Mary Hoffman; passed.

A bill to incorporate the Northwestern Christian University; passed.

A bill relative to appeals and changes of venue in the probate courts; passed.

A bill for the better improvement of roads in the counties of Grant and Delaware; passed.

A bill to confirm the sale of the land of the State in certain cases; passed.

A bill relative to a receiver in chancery in the county of St. Joseph; passed.

A bill to authorize John C. Hurst to erect a mill dam across the Little St. John river, in Allen county, Indiana; passed.

Bills on Second Reading.
A bill to locate a State road in the counties of Morgan and Owen; read a second time, rules suspended, and the bill read a third time and passed.

A bill to authorize the Superintendent of the New Albany and Vincennes road to pay the attorney's fees in a certain case in the Supreme Court; passed.

A bill to locate a State road in the county of Washington; read a second time, rules suspended, and the bill read a third time and passed.

A bill to incorporate the town of Noblesville; read a second time, rules suspended, and the bill read a third time and passed.

A bill relative to the jurisdiction of justices of the peace in Vermillion county; read a second time, rules suspended, and the bill read a third time and passed.

A bill relative to the taking of grand jury fees in certain counties was taken up and passed.

A bill for the relief of the estate of Noah Noble, deceased, read a second time, rules suspended, and the bill read a third time and passed.

A bill to incorporate the Bluffton and Fort Wayne turnpike company; read a second time, rules suspended, and the bill read a third time and passed.

Mr. Cassatt, on leave, presented a petition in reference to the school law; referred to the committee on Education without reading.

One hundred and eighty-one bills were read a second time by their titles and passed to a third reading, or referred to the appropriate committee.

On motion, the Senate adjourned.

HOUSE OF REPRESENTATIVES.
TUESDAY MORNING, JAN. 3.

The House resumed the consideration of the Convention bill.

Mr. Holcomb moved to amend the bill so that each organized county should be entitled to one delegate, and all counties now entitled to two or more members in the House of Representatives, should be entitled to one delegate in the said Convention. This amendment was adopted.

Mr. Lane moved a call of the House, which was ordered.

On motion of Mr. Orr the absentees were ordered to be sent for.

On motion the call was suspended.

The vote was taken on Mr. Butler's amendment on the table, and decided in the affirmative, yeas 69, noes 29.

Mr. Murray moved to amend Mr. Dougherty's amendment, by an appropriation of 17 delegates—providing that each representative district shall have one delegate, each county having over 2000 votes, one additional delegate, over 3000 votes two additional delegates and over 4000 votes three additional delegates. He extended the time for the consideration of the bill to January 10.

A new room would have to be procured in which to hold the Convention and other expenses incurred. His amendment, he said, gives nearly every county a delegate. This amendment had been offered and voted down in the Senate; but he was assured, if by the Senate, it would be concurred in by the House.

Mr. Murray withdrew his amendment for the present.

Mr. Cotton moved to amend the amendment, so that every county shall have a delegate.

Mr. Elder moved to lay Mr. Cotton's amendment upon the table; carried.

Mr. Elder then moved that Mr. Dougherty's amendment be laid upon the table—restricting office holders from holding seats in the Convention; which motion did not prevail, yeas 39, noes 60.

The question was then taken on Mr. Dougherty's amendment, and decided in the affirmative, yeas 60, noes 39.

Mr. Chandler moved to amend, so that where two or more counties form a district each county shall have one delegate and no more.

Mr. Holcomb moved to amend, so as to provide for the unorganized counties, &c.

Both amendments were laid upon the table.

Mr. Murray now moved his amendment, previously offered and withdrawn.

Mr. Lane moved that it be laid upon the table; which motion prevailed, yeas 55, noes 28.

Mr. Richardson moved to amend, so as to provide for the House appropriation.

Mr. Weir moved to amend the bill, so that the Senate ratify the bill to be elected by Sullivan, Vigo and Clay counties; which motion prevailed.

Mr. Edwards moved that Mr. Weir's amendment be laid upon the table; which motion prevailed.

Mr. Weir moved that Mr. Richardson's amendment be laid upon the table; carried.

Mr. Strickland moved to amend in relation to the details of the bill; not adopted.

Mr. O'Haver moved to amend, so that Vigo and Sullivan should have two delegates each and no more.

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Mr. Edwards moved to lay on the table; carried, yeas 71, noes 20.

Mr. Niblack moved to amend, so that Davies and Martin shall have one delegate each, instead of two jointly.

Mr. Levison moved to amend the amendment so that Union county shall have the Senatorial delegate; not adopted.

Mr. Niblack's amendment was then adopted.

Mr. Graves moved to amend, so as to provide for the Senate and House, without any restriction as to the qualification of delegates. This, he contended, would meet all the requirements of the Constitution—that instrument being entirely silent as to the qualifications of delegates; and he contended that the Senate and House should be the sole judges of the qualifications of their members.

Mr. Dougherty of B. moved that the amendment be laid upon the table; which motion prevailed.

Mr. Salter moved to amend, so that where four counties form one representative district they shall be entitled to two delegates; laid on the table.

Mr. Miller of M. and P. moved to amend, so that each county in the State shall have one delegate, and each county having 1000 polls shall have one additional delegate and each county having 2000 polls shall have two additional delegates; not adopted.

Mr. Spencer moved that Ohio and Switzerland shall have one delegate and each county having one additional delegate and each county having 2000 polls shall have two additional delegates; not adopted.

Mr. Salter moved to amend; when

Mr. Craven moved the previous question, which being put, and decided in the affirmative, yeas 63, noes 31.

Mr. Salter moved that the House adjourn; not carried.

The main question being on the engrossment of the bill to amend the law relative to the election of delegates, Mr. Chandler moved that the rule be suspended and the bill read a third time now; when

The House adjourned.

AFTERNOON SESSION.
The bill of the Senate for the relief of purchasers of school lands was read three times and passed.

The joint resolution of the Senate in relation to the African slave trade was read twice and ordered to a third reading.

The joint resolution allowing the benevolent institutions copies of the laws was read a third time and passed.

The resolution of the Senate providing for an adjournment sine die on Wednesday the 16th inst. was read; when

Mr. Niblack moved that it be laid on the table; which motion did not prevail, yeas 22, noes 75.

Mr. Niblack moved to amend by striking out the 16th and inserting Monday the 21st.

Mr. Frather moved to amend by adding "if the House and Senate have got through with their business."

Mr. Atkinson moved the previous question, which was not carried, yeas 22, noes 75.

Mr. Frather's amendment was not adopted.

Mr. Niblack's amendment, providing for an adjournment, on Monday the 21st inst. was adopted.

The report upon the petition for the election of State Agent and three Commissioners of the Indiana Hospital on Wednesday next was read; when

Mr. Chandler moved to add, Superintendent of the Northern Division of the Central canal; which amendment was adopted; and the resolution, as amended, was adopted.

The bill of the Senate, reducing the expenses of the several circuit courts, was read a second time, when

Mr. Craven moved to amend, by adding "and of fees rent."

Mr. Atkinson moved to refer to the committee of ways and means; not carried.

Mr. Craven moved to amend the amendment of Mr. Craven's amendment be laid on the table; carried.

Mr. Johnson moved to amend by allowing \$2700 as a compensation, and that to include all expenses.

Mr. Atkinson moved to amend, which was sustained and the bill ordered to a third reading.

On motion of Mr. Brown of S. the rules were suspended and the bill read a third time and passed.

The joint resolution of the Senate for the relief of James Gallely was read a first time; when

Mr. Edwards moved to reject the resolution; which motion did not prevail.

On motion, the House adjourned.

SENATE.
WEDNESDAY, JANUARY 3.

Petitions, &c., were presented by Messrs. Miliken, Walpole and Cassatt, which were referred or laid on the table.

Messrs. Lyon and Steele, from standing committees, reported back bills on their second reading, which were passed to a third reading.

Reports from Select Committees.
By Mr. Graham, a bill to select the time of holding courts in Perry county; read second and third times and passed.

By Mr. Berry, a bill in relation to the board of commissioners of Franklin county; read second and third times and passed.

A message was received from the House requesting the presence of the Senate in relation to the election of an Agent of State, and three commissioners of the Hospital for the Insane; accepted.

After the election, the Senate returned to the Senate Chamber, and the bill read a third time and passed.

On motion, the Senate adjourned.

AFTERNOON SESSION.
The Senate met.

Mr. O'Neil, on leave, introduced a joint resolution declaratory of the rights of John B. Stock, an insane person; read a first time, rules suspended, and the joint resolution read a second and third times and passed.

Mr. McCarty, on leave, introduced a joint resolution in relation to the public debt of the State, which was connected with such objects; read a first time.

The President laid before the Senate a communication from the State Librarian relative to surveying and engineering instruments belonging to the State; referred to the committee on the State Library.

Message of the House of Representatives, containing the report of the committee on the petition of the State of Indiana, and the bill to amend the Constitution of the State, was read.

Mr. Kinnard, on leave, introduced a bill revising an act defining the manner of collecting taxes due from the Madison and Indianapolis railroad company; read twice and referred to the committee on Finance.

Mr. Day, on leave, introduced a bill for the relief of Israel Day; read three times and passed.

Bills on Their Third Reading.
A bill to repeal an act therein named; passed.

A bill to distribute a surplus road tax in Jefferson county; passed.

A bill to incorporate the trustees of the Indianapolis college; passed.

A bill to authorize the Agent of State to lease one acre of land to the Indiana Asbury University; passed.

A bill to authorize a medical college.

Mr. Miller moved to indefinitely postpone the bill; carried, yeas 20, noes 58.

A bill to regulate the sale of spirituous liquors in Tippecanoe county; passed.

A bill to repeal section 65, chapter 54, so far as it relates to Tippecanoe county; passed.

A bill to vacate certain streets and alleys in Jeffersonville; passed.

A bill to amend the common school law; passed.

A bill directing the Secretary of State to make a patent to James Henney for certain Canal lands; passed.

A bill changing the time of holding the Probate court in Allen county; passed.

A bill regulating the jurisdiction of justices of the peace in Henry county; passed.

A bill to correct a mistake in the plank road law; passed.

A bill to incorporate the Lago and North Manchester plank road company; passed.

A bill to incorporate the Crawfordville and Lafayette turnpike company; passed.

A bill to incorporate the Richmond and Liberty turnpike company; passed.

A bill to incorporate several plank road charters; passed.

A bill to incorporate the Jefferson county historical society; passed.

A bill to incorporate the Ru-hville and Muncietown railroad company; passed.

Mr. Cassatt, on leave, from a select committee, reported back the bill to appoint an attorney to prosecute the trustees of the Wabash and Erie canal for violations of the contract between the bondholders and the State of Indiana; read a second time, rules suspended, and the bill read a third time and passed.

On motion of Mr. Eddy, the vote by which the Senate refused to pass the bill for the relief of John Green and T. T. Crittenden was reconsidered, and the question being on the passage of the bill—passed, yeas 27, noes 16.

A bill extending the jurisdiction of notaries public; passed.

A bill limiting the time of the sitting of the grand jury in Franklin county; passed.

A joint resolution in relation to the soldiers in the late war with Great Britain; passed.

A joint resolution relative to flagging in the United States navy; passed.

A joint resolution relative to the pay of deceased volunteers in the Mexican war; passed.

A bill to amend the charter of Howard college; passed.

A bill to change the time of holding the board of equalization in the county of Warren; passed.

A bill to appropriate a part of the school fund in the county of Warren; passed.

A joint resolution on the subject of the completion of the Michigan city harbor; indefinitely postponed.

A bill to incorporate the Jasper plank road company; passed.

A bill relative to the location of the county seat of Adams county; passed.

A bill regulating the pay of the probate judge of Vanderburgh county; passed.

A bill to exempt from the payment of State and county taxes the Olive Branch Church of Jefferson county; passed.

A bill to amend the plank road law; passed.

A bill to locate a State road in the counties of Miami and Wabash; passed.

A bill providing for the sale of a school section lying in the counties of White and Carroll; passed.

A joint resolution relative to establishing a bureau of agriculture in the Department of the Interior at Washington; not passed—yeas 23, noes 23.

A bill to incorporate the Evangelical St. John's Lutheran church, in Dearborn county; passed.

A joint resolution in relation to donating the public lands to actual settlers; passed.

A bill to authorize the commissioners of Carroll county to employ a physician for the poor; passed.

A bill to amend the charter of the city of Evansville; passed.

A bill for the relief of certain persons therein named; passed.

A bill relative to the Sullivan county library; passed.

A bill authorizing the erection of a mill dam; passed.

A bill for the benefit of Lewis Chapel; passed.

A bill authorizing the construction of a bridge in the county of Morgan; passed.

A bill for the relief of Cain Dockery; passed.

A bill for the relief of H. S. S. S.; passed.

A bill relative to the seminary of Sullivan county; passed.

A bill to compel non-residents to pay a road tax equal to that paid by actual settlers in the county of Whitley; passed.

A bill to vacate an alley in Greencastle; passed.

A bill relative to the Union plank road in Laporte county; passed.

A bill to amend a certain act therein named; passed.

A bill to authorize the erection of a mill dam in Huntington county; passed.

A bill to amend the law relative to the election of supervisors in certain counties; passed.

A bill for the relief of a certain person therein named; passed.

Mr. Eddy, on leave, introduced a joint resolution relative to the improvement of the harbor at Michigan city, and the Ohio river; read a first time.

Bills on Second Reading.
A bill to amend the charter of the city of New Albany; read a second time, rules suspended, and the bill read a third time and passed.

Several bills were read a second time and passed to a third reading, or referred to the appropriate committees.

On motion, the Senate adjourned.

HOUSE OF REPRESENTATIVES.
WEDNESDAY, JAN. 3, 1850.

Petitions, &c., were presented.

Messrs. Salter, Deffen, Warriner, Connor, O'Haver, Menough, Yocum, Byers, Cole, Gooden, and Miller of M. and P., which were referred.

Mr. Miller, from the select committee of ways and means, reported a bill to raise a revenue for State purposes, for the year 1850; which was read twice and committed to a committee of the whole for Saturday next.

The bill provides for a tax of 25 cents on the one hundred dollar's worth of property, and 75 cents poll tax, for the general purposes of the State, under the State debt bill, 25 cents levied to meet the expenses of the Convention; one cent and seven and a half mills for the Insane Hospital; two cents and two and a half mills for the Deaf and Dumb Asylum, and one cent and seven and a half mills for the Blind, on each hundred dollar's worth of property.

The bill in relation to the Seminary lands of Monroe county was read 2d and 3d times and passed.

The joint resolution of the House, in relation to the office of State Agent, reported against abolishing said office, in as much as it is the duty of the State, under the State debt bill, to keep up the city of New York for the transfer of stock, &c., which was concurred in.

The Senate now, on invitation, came into the House, and both Houses proceeded to the election of an Agent of State and three Commissioners for the Insane Hospital.

For Agent of State—
Allen May received 93 votes.

Royal Mayhew, 40 " "

Allen May was declared duly elected.

The Convention then proceeded to vote for three Commissioners for the Insane Hospital.

On the vote—
James Blake received 61 votes.

Dr. Sanders, 63 " "

Rev. Mr. Bayless, 88 " "

Dr. Bobbs, 24 " "

Dr. Gall, 26 " "

Samuel Hannah, 60 " "

Wilkins, 4 " "

Creasey, 4 " "

The Rev. John S. Bayless having received a majority of the whole number of votes given, was declared duly elected.

On the second vote—
Dr. Sanders received 66 votes.

James Blake, 77 " "

Dr. Gall, 18 " "

Samuel Hannah, 69 " "

Dr. Ritchey, 96 " "

Dr. Bobbs, 1 " "

Dr. Ritchey and James Blake were declared duly elected.

Mr. Butler from the committee on Temperance, made a report on that subject, in which it is stated, that memorials have been